

PO	<input type="checkbox"/>	0417	5	Assigned 1707
Misd.	<input type="checkbox"/>			Dis./Sentence 1707
Felony	<input checked="" type="checkbox"/>	District	Off	Judge/Magistr.

☐ WRIT
☐ JUVENILE
☐ ALIAS

OFFENSE ON INDEX CARD

U.S.

VS. 5/24 - ^(LAST, FIRST, MIDDLE) William Thomas, Jr.
• ~~DOE, John a/k/a William, a/k/a~~
~~"Hot Rod"~~

Case Filed
Mo. Day Yr.
04 09
No. of Def's 6

Docket No.	Def.
00012	06

U.S. TITLE/SECTION	OFFENSES CHARGED	ORIGINAL COUNTS
21:846 & 841(a)(1)	conspiracy to distribute and poss. w/intent to distr. cocaine and marijuana - Ct. 1	
	SUP. INDICT (marked as 3rd)	
21:846 & 841(a)(1)	conspr. to distribute and poss. w/intent to distr. cocaine and marijuana - Ct. 1	

INTERVAL ONE		END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)				END INTERVAL TWO		
II. KEY DATE <div>KEY DATE</div> <div>EARLIEST OF</div>	<input type="checkbox"/> arrest <input type="checkbox"/> summons <input type="checkbox"/> custody <input type="checkbox"/> appears on complaint	<div>KEY DATE</div> <div>4/9/91</div>	<input checked="" type="checkbox"/> indictment <input checked="" type="checkbox"/> filed/unseal <input type="checkbox"/> consent to Magr. trial on complaint <input type="checkbox"/> information <input type="checkbox"/> Felony Waiver	KEY DATE <div>5-23-91</div> <div>6-4-91</div>	<input type="checkbox"/> 1st appears on pending charge /R40 <input type="checkbox"/> Receive file #20/21 <input checked="" type="checkbox"/> Supdgt. Indictment <input type="checkbox"/> Order New trial	<div>KEY DATE</div> <div>9-10-91</div>	<input type="checkbox"/> Dismissal <input type="checkbox"/> Pled guilty <input type="checkbox"/> Nolo <input checked="" type="checkbox"/> Trial (voir dire) began <input type="checkbox"/> Jury <input type="checkbox"/> N.J.	
1st appears with or waives counsel		ARRAIGNMENT <div>9-10-91</div>		1st Trial Ended <div>9-16-91</div>	RE-TRIAL 2nd Trial Began	DISPOSITION DATE	SENTENCE DATE	FINAL CHARGES DISMISSED <input type="checkbox"/> on def. motion <input type="checkbox"/> on gov. motion <input type="checkbox"/> on S.T. grounds <input type="checkbox"/> W.P. <input type="checkbox"/> WOP

III. MAGISTRATE									
Search Warrant	Issued	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE ▶			INITIAL/NO.	OUTCOME: <input type="checkbox"/> DISMISSED <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT	
	Return			PRELIMINARY EXAMINATION OR <input type="checkbox"/> REMOVAL HEARING <input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED Tape Number					
Summons	Issued	DATE	INITIAL/NO.	<input type="checkbox"/> Date Scheduled ▶ <input type="checkbox"/> Date Held ▶				<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW	
	Served			<input type="checkbox"/> INTERVENING INDICTMENT					
Arrest Warrant Issued		DATE	INITIAL/NO.	Tape Number					
COMPLAINT ▶									
Date of Arrest		OFFENSE (In Complaint)							

Show last names and suffix numbers of other defendants on same indictment/information:

01-R. Cheatham, 02-M.Cheatham, 03-Wade, -04Richardson, 05-Sherron

RULE ☐ ☐ ☐ ● ☐ ☐

 20 21 40 In Out

ATTORNEYS
U. S. Attorney or Asst.

Christine W. Dean

Defense: 1 ☐ CJA. 2 ☐ Ret. 3 ☐ Waived. 4 ☐ Self. 5 ☐ Non / Other. 6 ☐ PD. 7 ☐ CD

NOT ON ORIGINAL OR Sup. Indictment: (FPD to provide reprsen.)

209 Bullock Street
Henderson, NC 27536
919/438-2757

Farris A. Duncan
P. O. Box 1104
Goldsboro, NC 27530
735-9427

V. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.

90 days up:

70 days up: 8-1-91

670 days up 11/7 Thu 9/9

FINE AND RESTITUTION PAYMENTS			Docket Entries Begin On Reverse Side		
DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

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BAIL • RELEASE	
PRE-INDICTMENT	
Release Date	
<input type="checkbox"/> Bail Denied	<input type="checkbox"/> Fugitive
	<input type="checkbox"/> Pers. Rec.
AMOUNT SET	<input type="checkbox"/> PSA
\$	Conditions
Date Set	<input type="checkbox"/> 10% Dep.
	<input type="checkbox"/> Surety Bond
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> Collateral
Date Bond Made	<input type="checkbox"/> 3rd Ppty
	<input type="checkbox"/> Other
POST-INDICTMENT	
Release Date	5-30-91
<input type="checkbox"/> Bail Denied	<input type="checkbox"/> Fugitive
	<input type="checkbox"/> Pers. Rec.
AMOUNT SET	<input type="checkbox"/> PSA
\$100,000 UnSec	Conditions
Date Set	<input type="checkbox"/> 10% Dep.
5-30-91	<input type="checkbox"/> Surety Bond
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> Collateral
Date Bond Made	<input type="checkbox"/> 3rd Ppty
5-30-91	<input type="checkbox"/> Other
APPEALS FEE PAYMENTS	

DATE DOCUMENT NO.			Yr.	Docket No.	Def.	MASTER DOCKET - MULTIPLE DEFENDANT CASE PROCEEDINGS DOCKET FOR SINGLE DEFENDANT	PAGE	OF	VI EXCLUDABLE DELAY		
			91	00012	06				Start Date End Date	Ltr Code	Total Days
(OPTIONAL) Show last names of defendants											
V. PROCEEDINGS											
DOE											
4/2/91	1.	MOTION TO SEAL INDICTMENT - lc: McCotter							sr		
	2.	ORDER - sealing indictment - to be unsealed upon arrest of all defts - req. of USA - or exp. of 7 days.							sr		
4/5/91	3.	REQUEST - for issuance of Warrant by USA - det. requested									
	--	ISSUED WARRANT FOR ARREST on 2nd Sup. Indictment - orig. & lc: USM - lc: USA							sr		
4/9/91	4.	INDICTMENT (SECOND SUPERSEDING) - def. not on orig. or Sup. Indict. - lc: USA, PTS, USM, Judge Fox and J. McCotter.							sr		
5/23/91	--	INITIAL APPEARANCE in Ral before USMJ Denson = Recorded - Deft present w/o counsel - Advised of rights, charges, max punish - Govt moves for P/T Deten - Deft req court assigned counsel - Det hrg to be sch later							vp		
	5.	ORDER OF TEMPORARY DETENTION PENDING HEARING PURSUANT TO BAIL REFORM ACT - det hrg sch for 5/30/91 at 11:00 pm(DENSON) lc: USA, USM, PTS, Denson Joyce (2)							vp		
5/24/91	--	Pretrial Scheduling Report to McCotter							vp		
	6.	ORDER CHANGING NAME - the clerk is directed to amend the indict and all other records in this case to show this deft as William Thomas, Jr. (Denson) - lc USA, PTS							vp		
	7.	ORDER appting court assigned counsel Denson) - lc: USA, PTS, FPD w/file							vp		
5/24/91	--	ISSUED NOTICE TO APPEAR - (due to co-defts.being set on 6/10)- set for ar & tr. on 6/10/91 at 9 A.M. in Wilm. before Judge Fox - lc: USA and FPD							sr		
5/29/91	8	ORDER ON PRETRIAL SCHEDULING - p/t discvry by 6/24/91 Motions by 7/5/91 Responses by 7/15/91. (McCotter, USDMJ) cys: Judge Fox, USA & FPD									
5/29/91	9	RETURN ON WARRANT - def. arrested on 5/22/91 by DUSM J. Michael Wilson.									
5/30/91	10	MOTION TO CONTINUE - trial by def. w/cs, cy to Judge Fox.									
5/31/91	11.	RESPOSNE TO MOTION TO CONTINUE by Govern. w/cs. lc: Judge Fox							sr		
*5/30/91	--	DETENTION HEARING IN RAL BEFORE USMJ DENSON - Recorded - Deft present w/counsel - Govt w/draws motion for p/t det - Deft is released on spec conds, \$100,00 unsec bond and 3rd party custody							vp		
	12.	ORDER SETTING CONDITIONS OF RELEASE - def is released on spec conds, \$100,000 unsec bond and 3rd party custody to Peggy Hunt Pettiford (Denson) - Dist + Ms. Pettiford and Counsel							vp		
	13.	APPEARANCE BOND - \$100,000 unsec bond (Denson) - lc: Dist + Counsel							vp		
6/3/91	14.	ORDER - purs. to m/to continue by co-def. Thomas from 6/10/91 sess - motion is allowed and case is continued to 8/12/91 at Wilm. - except for Ct. 5 of co-def. Wade which was severed and will stay on 6/10 sess - excludable u/18:3161(h)(7). (Fox, J) Cr. OB#43, P. 202 - lc: USA, USPO, USM, McCotter and Mr. Duncan (ent. 6/4/91)							sr		
70 days up 10/10 w/excl time thru 8/12/91											
Case 5:91-cr-00012-F Document 7 Filed 04/09/91 Page 2 of 4											

LETTER CODES

For identifying periods of excludable delay per 18 USC 3161 (h) (Sections in brackets)

A Exam or hearing for mental/physical incapacity (18 USC 4244) [(1)(A)]

B NARA exam (18 USC 2902) [(1)(B)]

C State/Fed. proceedings on other charges [(1)(D)]

D Interlocutory appeal [(1)(E)]

E Pretrial motion (from filing to hearing or to other prompt disposition) [(1)(F)]

F Transfer from other district per FRCP 20.21 or 40 or Mag. Rule 6e [(1)(G)]

G Proceedings under advisement, not to exceed 30 days, after all necessary submissions filed and hearings completed [(1)(J)]

H Misc. proceedings: arraignment, parole, probation, revocation, deportation, extradition [(1)]

I Deferral of prosecution (per 28 USC 2902) [(1)(C)]

J Transportation from another district or to/from examination or hospitalization in 10 days or less [(1)(H)]

K Consideration by Court of proposed plea agreement [(1)(I)]

L Prosecution deferred by mutual agreement [(2)]

M Unavailability of defendant or essential witness [(3)(A,B)]

N Period of mental/physical incompetence of def. to stand trial [(4)]

O Period of NARA commitment/treatment [(5)]

P Superseding indictment and/or new charges [(6)]

R Def. awaiting trial of co-defendant & no severance has been granted [(7)]

T Continuance granted per (b)(3) use "T" alone if more than one of the following reasons (T1 thru T4) is given in support of continuance [(8)(A,B)]

T1 Failure to continue would stop further proceedings or result in miscarriage of justice [(8)(B,i)]

T2 Case unusual or complex [(8)(B,ii)]

T3 Indictment hearing/arrest can't be filed in 30 days [(8)(B,iii)]

T4 Continuance granted to obtain or substitute counsel, or give reasonable time to prepare [(8)(B,iv)]

U Time up to withdrawal guilty plea, 3161(i)

W Grand Jury indictment time extended 30 more days, 3161 (b)

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

THOMAS, Williams, Jr.

91-12-06-CR-5

AO 256A

Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
6/4/91	15. SUPERSEDING INDICTMENT (marked as 3rd) - lc: USA, USPO/PTS McCotter, Judge Fox and Mr. Duncan	sr			
6/10/91	16. NOTICE OF APPEARANCE - by Farris A. Duncan for deft. . Cys: USA, USPO,PTS, J. Fox & J. McCotter b11				
6/12/91	17. ORDER FOR DISMISSAL - dismissed 2nd Sup. indictment (Fox, J) Cr. OB#43, P. 243 - lc: USA, USPO, USM, McCotter and Mr. Duncan (ent. 6/17/91)	sr			
7-24-91	--- ISSUED NOTICE TO APPEAR - set for ar. & tr. on 8/12/91 at 9 A.M. in Wilm. before Judge Fox - lc: USA and Mr. Duncan	sr			
8/2/91	18. MOTION TO CONTINUE - moves to continue from 8/12/91 Session by Govern. w/cs. - lc: Judge Fox	sr	8/2/91 8/6/91	4	
8/6/91	19. ORDER - motion to continue from 8/12 allowed - continued to 9/9 session at Wilm. - excludable u/18:3161 (h)(8)(A) and (h)(8)(B)(i). (Fox, J) Cr. OB#11, P. 112 - lc: USA, USPO, USM Mr. Crawley and McCotter. (ent. 8/6/91)	sr	8/12/91 9/9/91	28	
	70 days up 11/7 w/exlc time thru 9/9)	sr			
8/23/91	ISSUED NOTICE TO APPEAR - set for <u>arrgn. & trial.</u> on 9/9/91 at Wilm. at 9 A.M. before Judge Fox - lc: USA and Mr. Duncan	sr			
8/27/91	ISSUED AMENDED NOTICE TO APPEAR - set for <u>arrgn. & trial.</u> on 9/10/91 at Wilm. at 9 A.M. before Judge Fox instead of 9/9- lc: USA and	sr			
9/5/91	20. GOVERNMENT'S PROPOSED QUESTIONS OF VOIR DIRE lc: Judge Fox	sr			
	21. GOVERNMENT'S PROPOSED JURY INSTRUCTIONS - lc: Judge Fox	sr			
9/6/91	22. INFORMATION - govern will seek enhanced penalty u/21:851 at sentencing in this case (deft. set for tril 9/9) w/cs. lc: Judge Fox	sr			
9/9/91	23. MOTION IN LIMINE by Govern - lc: Judge Fox (ruled on in open court)				
9/10/91	-- Wilm. - Judge Fox - Talley Taylor Ct. Reporter Arraigned - Not guilty Reserved opening statment Evid. began for the Govern.				
9/11/91	-- Wilm. - Judge Fox - Talley Taylor Ct. Reporter Evid. cont'd for the govern.				
	23. ORDER - that following govern. exhibits be retained in the custody of Kenneth Mathias - Raleigh Police Dept. - guns and cocaine - Nos. 66,70,62,63, 74, 72, 2, 6 & 7 (Fox, J) Cr. OB# P. (ent. 9/11/91) cys. to Agent Mathias and USA	sr			

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
9/12/91	-- Wilm. - Judge Fox - Taley Taylor Ct. Reporter Evid. cont'd for the Govern. 24. ORDER - following govern. exhs. retained by Ral. Police Dept - Kenneth Mathias - gun and cocaine - Nos. 10. 37 and 38 (Fox, J) Cr. OB# P. lc: Mr. Mathias and USA (ent. 9/13/91)	sr			
9/13/91	-- Wilm. - Judge Fox - Talley Taylor Ct. Reporter Evid. for Govern continued. Govern. rests. - M/Rule 29 - denied Evid. for co-deft. Cheatham and Richardson 25. ORDER - govern exhs. No.s 44, 45, 71, 35, 36, (money, gun and bulletts) returned to the custody of Kenneth Mathias - Raleigh PoliceDept - (Fox, J) Cr. OB# P. (ent. 9/14/91) lc: Mr. Mathias and USA.	sr			
9/14/91	-- Wilm.-Judge Fox-Talley Taylor Ct. Reporter - Evid. continued	for	Richardson		
9/16/91	-- Wilm. - Judge Fox - Talley Taylor Ct. Reporter J.T. continued - No evid. for deft. Thomas - No Rebuttal Closing Arguments Charge to jury Alternates excused Jury retired at 1:47 P.M. 27. JURY VERDICT - not guilty Ct. 1 lc: USA, USPO, Judge Fox 28. JUDGMENT OF ACQUITTAL - found not guilty by the jury of ct. 1 (Fox, J) Cr. OB# 44 P. 178 lc: USPO, deft. Mr. Duncan, Judge Fox 2c: USA, 3c: USM (ent. 9-20-91) No Deft. exhibits - Govern. exhibits in Exh. room	sr			
9/27/91	-- TRANSCRIPT - Trial - 9/10/91 - Wilm. - Judge Fox - Vol. 1 of 2 page 1 thru 73 - Talley Taylor Ct. Reporter -excerpted testimony of Howard Ashworth Cowan -- TRANSCRIPT - Trial - 9/11/91 - Wilm. Judge Fox - Vol. 2 of 2 page 1 thru 129 - Excerpted testimony of Howard Ashworth Cowan - Talley Taylor Ct. Reporter -- TRANSCRIPT - Trail - 9/12/91 - Wilm. Judge Fox - Vol. 1 of 1 pages 1 thru 54 - excerpted testimony of William Keith Wade - Talley Taylor Ct. Reporter. (all transcript in file of Macklin Cheatham - deft. o2)				